

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

Gannon & Scott, Inc.

Plaintiff(s)

vs.

Civil Action No. 05-11386-WGY

Elizabeth Tolan
Sarah Tolan
Peggy Tolan

Defendant(s)

**AMENDED
DEFAULT JUDGMENT**

Defendant **Peggy Tolan** having failed to plead or otherwise defend in this action and default having been entered against her,

Now, upon the applications of Defendants **Elizabeth Tolan** and **Sarah Tolan** and affidavits demonstrating that Defendant **Peggy Tolan** has not claimed any right to the interpleaded funds in the amount of **\$27,844.85**, that Defendant **Peggy Tolan** is not an infant or incompetent person or in the military service of the United States,

It is hereby **ORDERED, ADJUDGED AND DECREED** that the Defendants **Elizabeth Tolan** and **Sarah Tolan** recover the principal sum of \$27,844.85 on deposit with the Registry of the Court, and

It is hereby further **ORDERED, ADJUDGED AND DECREED** that Plaintiff **Gannon & Scott, Inc.** pay the twenty percent (20%) mandatory tax withholding of \$6,961.21 in the Plaintiff's possession to the Internal Revenue Service for a total judgment against Defendant **Peggy Tolan** in the amount of \$34,806.06, and

It is hereby further **ORDERED, ADJUDGED AND DECREED** that the Plaintiff is forever relieved and discharged from any further liability on any claim that any Defendant has or may have in the future concerning the ERISA qualified retirement plan proceeds described in the Complaint, and

It is hereby further **ORDERED, ADJUDGED AND DECREED** that all Defendants are hereby enjoined from commencing or further prosecuting any action against Plaintiff based on the ERISA qualified retirement plan proceeds.

By the Court,

Dated: 11/1/05

Elizabeth Smith
Deputy Clerk

November 1, 2005,

*Form of judgment approved,
William A. Young
Chief Judge*